

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

BALANCECXI, INC. dba ZACOUSTIC,
Plaintiff

vs.

INTERNATIONAL CONSULTING &
RESEARCH GROUP, LLC,
CHRISTOPHER DESIMONE, AND
ADAM OLDFIELD
Defendants

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Civil Action No. 1:19-cv-767-RP

JOINT MOTION TO DISMISS WITH PREJUDICE

Defendants International Consulting & Research Group, LLC, Christopher DeSimone, and Adam Oldfield (collectively, “***Defendants***”) and Plaintiff BalanceCXI, Inc. dba Zacoustic (“***BalanceCXI***” or “***Plaintiff***”) (Defendants and BalanceCXI collectively the “***Parties***”) jointly file this Joint Motion to Dismiss with Prejudice and respectfully state:

The Parties have entered into a settlement of the claims made in the instant suit and believe that the settlement reached is fair and reasonable. Bona fide factual disputes were involved, and the settlement was negotiated at arm’s length between knowledgeable and experienced attorneys representing Plaintiff and Defendants. Based on the settlement reached, the Parties agree that all claims that Plaintiff alleged or could have alleged in this lawsuit against Defendants, and all counterclaims that Defendants could have alleged against Plaintiff, should be dismissed with prejudice. Therefore, the Parties now jointly request that the suit be dismissed with prejudice to the refiling of the same.

WHEREFORE, the Parties respectfully request that this Court grant this motion and enter an order dismissing all of Plaintiff’s claims with prejudice.

Respectfully submitted,

/s/ Adam H. Sencenbaugh

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CERTIFICATE OF SERVICE

The undersigned certifies that on September 1, 2022, a copy of the foregoing instrument was served on the following counsel of record in accordance with the Federal Rules of Civil Procedure and the Court's Local Rules.

/s/ Adam H. Sencenbaugh

Adam H. Sencenbaugh